

BELL & HASSING

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Attorneys for Defendant Arthur Heimall

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Stanley R. Chesler, USBJ
:
Plaintiff, : Criminal No. 08-cr-326 (SRC)
:
v. : CONSENT ORDER
:
ARTHUR HEIMALL, :
:
Defendant. :

THIS MATTER having been jointly opened to the Court by Bell & Hassing, attorneys for Defendant, Arthur Heimall (hereinafter "Defendant"), and the United States Attorney's Office, attorneys for Plaintiff, the United States of America (hereinafter "United States"); and

IT APPEARING to the Court that the parties have amicably resolved the matters raised by Defendant as set forth below in this action; and other good and sufficient cause having been shown for the entry of this Consent Order;

IT IS on this 31st day of August, 2009

ORDERED as follows:

1. The United States Attorney and United States Probation Office agree to a slight adjustment and variation in the sentencing of Defendant that was imposed by the Court on December 15, 2008 based upon a judgment of guilty where Defendant's sentence includes probation providing for home confinement during a 12-month period, which will still

be active in September 2009, on the terms set forth herein below.

2. The United States Attorney and United States Probation Office have agreed to permit Defendant leave the State of New Jersey on September 2, 2009 to attend the promotional ceremonies for his son in Fort Campbell, Kentucky, Michael Heimall, a member of the Armed Forces of the United States of America, who is being promoted to the rank of Colonel in the 101st Airborne Division, scheduled for September 3, 2009. This is an event that Defendant is most excited to participate in as a proud parent. Defendant plans to travel with his daughter, Theresa Ferlo, and his ex-wife, Alice Heimall by Continental Airlines, and to return to the State of New Jersey on September 5, 2009.

3. Upon his return to his residence within the State of New Jersey, Defendant will resume serving his sentence of probation that includes home confinement for a period of 12 months as arranged by the United States Attorney and United States Probation Office.

4. In the event that Defendant fails to reasonably return to his residence within the State of New Jersey according to the terms of the adjustment and variation in his sentencing as set forth in paragraphs 1, 2, and 3 above, the United States Attorney and United States Probation Office shall have the right to institute appropriate action upon application to the Court by Affidavit, said application to be on notice to Defendant and his counsel.

5. Counsel for Defendant shall serve a true copy of this Consent Order upon the United States Attorney and United States Probation Office within 1 days of the date of the receipt of said Consent Order.

Hon. Stanley R. Chesler, U.S.D.J.

We hereby consent to the form and Entry of the within Consent Order.

UNITED STATES ATTORNEY'S OFFICE
Attorneys for the United States
Of America, Plaintiff

BELL & HASSING
Attorney for Arthur
Heimall, Defendant

By: Anthony Moscato,
Assistant United States
Attorney

By: Joseph J. Bell, Esq.

Dated: August __, 2009

Dated: August 26th, 2009

UNITED STATES PROBATION OFFICE

By: Stanley Whetstone,
Probation Officer

Hon. Stanley R. Chesler, U.S.D.J.

We hereby consent to the form and Entry of the within Consent Order.

UNITED STATES ATTORNEY'S OFFICE
Attorneys for the United States
Of America, Plaintiff

BELL & HASSING
Attorney for Arthur
Heimall, Defendant

By: Anthony Moscato,
Assistant United States
Attorney


By: Joseph J. Bell, Esq.

Dated: August __, 2009

Dated: August __, 2009

UNITED STATES PROBATION OFFICE


By: Stanley K. Whetstone
Stanley Whetstone,
Probation Officer


Hon. Stanley R. Chesler, U.S.D.J.

We hereby consent to the form and
Entry of the within Consent Order.

UNITED STATES ATTORNEY'S OFFICE
Attorneys for the United States
Of America, Plaintiff

BELL & HASSING
Attorney for Arthur
Heimall, Defendant

By: 
Anthony Moscato,
Assistant United States
Attorney

By: _____
Joseph J. Bell, Esq.

Dated: August 24, 2009

Dated: August __, 2009

UNITED STATES PROBATION OFFICE

By: 
Stanley Whetstone,
Probation Officer